

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPLE, INC., et al.,

Defendants.

No. 12-cv-2826 (DLC)

**CERTIFICATION OF DEFENDANTS HOLTZBRINCK PUBLISHERS, LLC D/B/A/
MACMILLAN AND VERLAGSGRUPPE GEORG VON HOLTZBRINCK GMBH
PURSUANT TO 15 U.S.C. §16(g)**

Pursuant to 15 U.S.C. § 16(g), defendants Holtzbrinck Publishers, LLC d/b/a Macmillan (“Macmillan”) and Verlagsgruppe Georg von Holtzbrinck GmbH (“VGvH”) state that no written or oral communications occurred by, or on behalf of, either Macmillan or VGvH with an officer or employee of the United States concerning, or relevant to, the Proposed Final Judgment, other than communications made by counsel of record alone with employees of the Department of Justice, except that, on October 23, 2012, Macmillan executives attended a mediation session in the chambers of the Honorable Kimba M. Wood, at which representatives of the Department of Justice were present, during which the parties sought to determine whether it would be possible to resolve the case brought against Macmillan and VGvH by the Department of Justice without a trial.

Macmillan and VGvH certify that, with this submission, each has complied with the requirements of 15 U.S.C. §16(g), and that this submission is a true and complete description of

communications known to Macmillan and VGvH or that Macmillan and VGvH reasonably should have known that are required to be reported pursuant to that provision.

April 15, 2013

Respectfully submitted,



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